

**Before the State of South Carolina
Department of Insurance**

In the matter of:
Richard L. Austin
209 Whitford Stage Road
Orangeburg, S.C. 29115.

SCDOI File Number:125178.

**Consent Order Revoking Insurance
Producer's Licensing Privileges**

This matter comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and Richard L. Austin, a licensed South Carolina resident insurance producer.

Upon review of this matter, I hereby find as fact, that the above named respondent, while licensed to do business as a resident insurance producer within the State of South Carolina incurred into fraudulent activities, which resulted in his termination of employment by the Combined Insurance Company of America. Mr. Austin has acknowledged this, and understands that these actions could ultimately lead to the revocation of his license to transact the business of insurance as a producer in South Carolina, following a public hearing at the Administrative Law Court.

Mr. Austin was informed of his statutory privilege to request a public hearing but has waived his right to do so. Subsequently, the parties agreed, rather than proceed forward with a formal public hearing, to submit the entire matter to me, along with their specific recommendations, for my summary decision based solely upon the record. That mutual recommendation was that Mr. Austin would voluntarily surrender his license for revocation.

Section 38-43-130 of the South Carolina Code of Administrative Laws provides...“the director or his designee may revoke or suspend a producer's license after ten days' notice or refuse to reissue a license for violating any of South Carolina's Insurance Laws or regulations.” Specifically, Subsection (C)(8) addresses the acts of “using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this State or elsewhere.”

In accordance with my findings of fact, I now conclude, as a matter of law, that Richard L. Austin has violated S.C. Code Ann. § 38-43-130(Supp.2004). As a result, I can now take administrative action against his resident insurance producer's license.

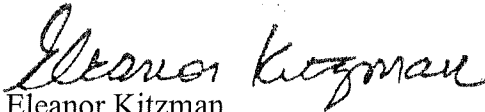
This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-40-10 *et seq.* (1991 and Supp. 2004). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to

limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. § 38-3-110(4) (2004).

It is therefore ordered that the license of Richard L. Austin to do business as a non-resident insurance producer within the State of South Carolina be, and is hereby, revoked and that no license, issued through the State of South Carolina Department of Insurance is to be issued to him, thereafter.

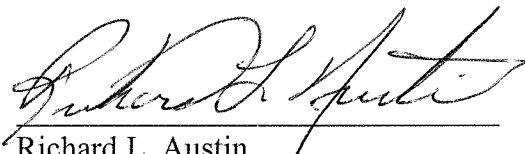
It is further ordered that a copy of this consent order shall be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Richard L. Austin is currently licensed, through the State of South Carolina Department of Insurance, as a resident insurance producer within the State of South Carolina.

This consent order becomes effective as of the date of my signature below.


Eleanor Kitzman
Director

June 27, 2005, at
Columbia, South Carolina

I CONSENT:


Richard L. Austin
209 Whitford Stage Road
Orangeburg, S.C. 29115.

Dated this 21 day of June, 2005.